

PUBLIC NOTICE

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Water Pollution Control
7th Floor, L&C Annex
401 Church Street
Nashville, Tennessee 37243

TO WHOM IT MAY CONCERN: The application described below has been submitted for an Aquatic Resource Alteration Permit under *The Tennessee Water Quality Control Act of 1977*, T.C.A. §69-3-108. In addition, federal permits may be required from the U. S. Army Corps of Engineers and the Tennessee Valley Authority under §404 of the *Clean Water Act* and §26a of the *Tennessee Valley Authority Act*, respectively. Section 401 of the *Clean Water Act* requires that an applicant obtain a water quality certification from the state when a federal permit is required. This notice may cover applications subject to §401.

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

The permit application, supporting documentation including detailed plans and maps, and related comments are available for review and/or copying at the department's natural resources section.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department shall hold a public hearing in accordance with Rule 1200-4-7-.04(4)(f).

In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

PERMIT APPLICATION NUMBER: NRS 07.149

APPLICANT: Gladys Rochelle
234 Blue Creek Road
Waverly, TN 37185
931-296-3442 #3

LOCATION: SR-13 near Leegan Lane, Lobelville
Humphrey County (lat35.8541/long87.8134)

USGS TOPOGRAPHIC QUADRANGLE: Hustboro, TN

WATERSHED DESCRIPTION: The proposed impacts would affect the Buffalo River. The Buffalo River at Mile 14 is approximately 80 feet wide flowing over a gravel/silt substrate with a riparian zone consisting of scattered hardwoods. The affected stream reach is a 400 foot long section bordering an agricultural field with vertical banks approximately 9 feet high. A TDEC ambient monitoring station at mile 12.9 & 25.9 showed no obvious WQS violations and listed the river as fully supporting all of its classified uses. The land use in the area is primarily agriculture.

PROJECT DESCRIPTION: The applicant has received a detailed stream restoration plan from the NRCS and a nationwide permit from the Corps of Engineers for the stabilization of 400 feet of the Buffalo River at or around Stream Mile 14. The project would involve regarding the vertical eroded banks to a 2:1

slope and placement of riprap (D50:16") up to 4 feet above normal water elevation. There would also be a riparian forest buffer planted 50 feet wide by 400 feet long.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in degradation to water quality.

More details on the proposal can be viewed on the Internet at <http://www.state.tn.us/environment/wpc/ppo/arap>.

PERMIT COORDINATOR: Brian Canada

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

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